

Remarks

Claims 3-17 and 20-27 were pending prior to entry of this Amendment. The April 30, 2009 Office Action was indicated as a Final Action, and applicants were provided a 3-month period from the date of mailing to respond.

In this Reply after Final, Claims 3-9, 11, 16 and 21 have been cancelled, and Claims 10, 12, 13, 20, 22 and 27 have been amended, for the reasons stated below. Applicant hereby reserves its right to pursue any subject matter which may have been cancelled from a prior claim, or which may be otherwise described in this application in subsequent filings or continuation applications.

Currently, claims 10, 12-17, 20, 22-27 remain pending. Reconsideration of the now pending claims is hereby requested. In light of the amendments made herein and following comments, it is believed that the application is in condition for allowance.

Applicant thanks the examiner for the thorough and thoughtful consideration of the present application and the art of record.

The examiner's objections and rejections are addressed below in the order made in the Office Action.

1. The Drawings Are Compliant With 37 CFR 1.83(a) and 1.84(p)(5):

Claim 16, referencing a "third state" has been cancelled, thus rendering the objection under 1.83(a) moot.

Replacement Figure 2 has been provided in compliance with 37 CFR 1.121(d). The page is marked "Replacement Sheet". Object identifier **26** has

been added back to Figure 2 as discussed in paragraph 61 of the specification.
No new matter has been added.

2. Claim 23 is No Longer Objectionable

Claim 23 has been amended to remove the underscore mark identified.

3. Cancellation of Claims 3, 5, and 21 render the Novelty Rejection Moot.

In light of the cancellation of the identified claims, it is requested that the rejection be withdrawn.

4. Cancellation of Claims 4, 6, 7, 8, 9, and 11 render the Obviousness Rejection Moot.

In light of the cancellation of the identified claims, it is requested that the rejection be withdrawn.

5. The Pending Claims, Having been Amended As Suggested by the Examiner, are asserted to be in Condition for Allowance.

Pursuant to the examiner's statements concerning "Allowable Subject Matter" in the most recent action, Claims 10, 13, 20, 22 and 27 have been amended to independent form and now incorporate those limitations previously contained in and base or relevant intervening claim.

Claims 12, 14-15, 17 and 23 are dependent on the independent claims.

Conclusion

Applicant asserts that the application is in a condition for allowance, and prompt issuance of a Notice of Allowance is hereby requested.

Should any minor issues remain that preclude issuance of a Notice of Allowance, the Examiner is invited to contact the undersigned at (919) 483-9995.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge any fees or credit any overpayment, particularly including any fees required under 37 CFR Sect 1.16 or 1.17, and any necessary extension of time fees, to deposit Account No. 07-1392.

Respectfully submitted,

/Dwight S. Walker/
Dwight S. Walker
Agent for Applicant
Registration No. 63,170

Date: July 24, 2009
GlaxoSmithKline Inc.
Five Moore Drive, PO Box 13398
Research Triangle Park, NC 27709
(919) 483-8160
fax: (919) 483-9995
dwight.s.walker@GSK.com